

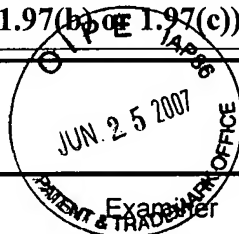
IFW

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) and 1.97(c))

Docket No.  
LWEP:122US

In Re Application Of: **Katja Peter et al.**



Application No.

10/773,952

Filing Date

February 6, 2004

Examiner

Mark J. Consilvio

Customer No.

24041

Group Art Unit

2872

Confirmation No.

7353

Title: **DEVICE AND METHOD FOR CONTROLLING FUNCTIONS OF A MICROSCOPE SYSTEM**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

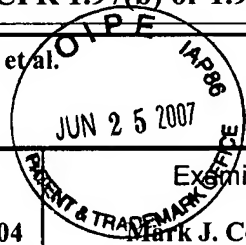
OR

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
LWEP:122US

In Re Application of: Katja Peter et al.



Application No. 10/773,952	Filing Date February 6, 2004	Examiner Mark J. Consilvio	Customer No. 24041	Group Art Unit 2872	Confirmation No. 7353
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Title: **DEVICE AND METHOD FOR CONTROLLING FUNCTIONS OF A MICROSCOPE SYSTEM**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 50-0822  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa
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June 21, 2007 (Date)
 Signature of Person Mailing Correspondence
Ryan K. Liebengood
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Signature

Dated: June 21, 2007

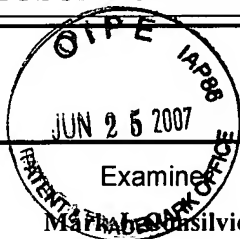
Ryan K. Liebengood  
Reg. No. 60093  
Simpson & Simpson, PLLC  
5555 Main Street  
Williamsville, New York 14221  
(716) 626-1564 Phone  
(716) 626-0366 Fax

cc: MLD/RKL/MJK

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
**LWEP:122US**

In Re Application Of: **Katja Peter et al.**



Application No. <b>10/773,952</b>	Filing Date <b>February 6, 2004</b>	Examiner <b>M4 FALCON SILVIO</b>	Customer No. <b>24041</b>	Group Art Unit <b>2872</b>	Confirmation No. <b>7353</b>
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Invention: **DEVICE AND METHOD FOR CONTROLLING FUNCTIONS OF A MICROSCOPE SYSTEM**

**COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

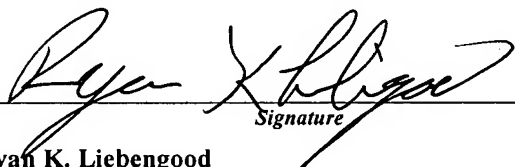
Check applicable statement herebelow:

**Statement Under 37 CFR 1.97(e)(1)**

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement Under 37 CFR 1.97(e)(2)**

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

Dated: **June 21, 2007**

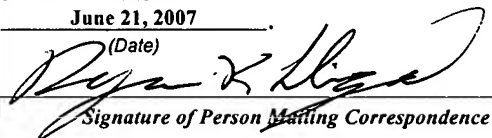
**Ryan K. Liebengood**  
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**June 21, 2007**

(Date)

  
Signature of Person Mailing Correspondence

**Ryan K. Liebengood**

Typed or Printed Name of Person Mailing Correspondence

MLD/RKL/MJK

cc:



**U.S. UTILITY PATENT APPLICATION  
ATTORNEY DOCKET NO. LWEP:122US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Matter of United States Patent Application:

Applicant(s): Katja Peter et al.

Examiner: Mark J. Consilvio

Application No.: 10/773,952

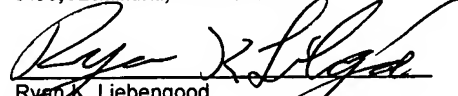
Art Unit: 2872

Filed: February 6, 2004

For: DEVICE AND METHOD FOR CONTROLLING FUNCTIONS OF A  
MICROSCOPE SYSTEM

**Certificate of Mailing by First Class Mail**

I certify that this Information Disclosure Statement is being deposited on June 21, 2007 with sufficient postage with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

  
Ryan K. Liebengood  
Regis. No. 60093

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

This Information Disclosure Statement is submitted in compliance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98

In accordance with 37 C.F.R. §1.97(e)(1), Applicant states that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

Record is attached of published art for consideration during prosecution of the above-identified patent application. No representation is made or intended that a search has been made or, if made, was complete, or that no more pertinent art than that listed is available. It is expected that the Patent and Trademark Office will conduct an independent search for relevant prior art.

Unless otherwise indicated, or unless references cited are U.S. patents or patent application publications, a full text copy of the entire reference of published art is attached. Where specifically indicated, an equivalent English language patent or publication is attached in lieu of the translation. Where "translation" is checked on PTO Form PTO-A820 (PTO-1449), it may indicate a partial translation, e.g. of an abstract or claim.

Unless otherwise indicated, a full-text copy of each cited reference is attached.

In accordance with the Patent and Trademark Office Notice of August 15, 1980, also enclosed is a completed Form PTO-A820 (Form PTO-1449).

**Please consider the following published art:**

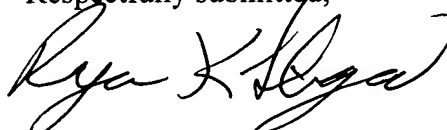
US5703714

US5704051

EP1128413

WO 02/29467

Respectfully submitted,



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Dated: June 21, 2007

MLD/RLK/MJK

Enclosures (2)

<div style="text-align: center;"> <b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i> </div>	Docket Number (Optional) <b>LWEP:122US</b>	Application Number <b>10/773,952</b>
	Applicant(s) <b>Katja Peter et al.</b>	
	Filing Date <b>February 6, 2004</b>	Group Art Unit <b>2872</b>

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5703714	12/30/1997	Kojima	359/368	359/381	
		5704051	12/30/1997	Lane et al.	395/357	395/353	

U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation		
						YES	NO	
	EP1128413	8/29/2001	Europe	H01J37				
	WO 02/29467	4/11/2002	PCT (English abstract only)	G02B21		✓		

OTHER DOCUMENTS	(Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.